

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEW MEXICO

JULIET S. WILLIAMS, o/b/o
SANJAY S. GARCHA, deceased,

Plaintiff,

v.

CIV 12-0141 KBM

MICHAEL J. ASTRUE,
Commissioner of Social Security,

Defendant.

ORDER GRANTING EAJA FEES

THIS MATTER is before the Court on Plaintiff's Motion for Attorney Fees under the Equal Access to Justice Act (EAJA). (*Doc. 27*). In his response, the Commissioner does not object to the amount requested and asks that the Court direct payment of the EAJA award to the Plaintiff pursuant to the Supreme Court's decision in *Astrue v. Ratliff*, ___ U.S. ___, 130 S. Ct. 2521, 2524 (2010) ("We hold that a § 2412(d) fees award is payable to the litigant and is therefore subject to a Government offset to satisfy a pre-existing debt that the litigant owes the United States."). *See Doc. 28*. I find that an award of fees is appropriate and the amount of fees requested is reasonable.

Wherefore,

IT IS HEREBY ORDERED that the motion is GRANTED and Plaintiff is awarded attorney fees in the amount of \$6,237.60, and costs in the amount of \$367.85, under 28 U.S.C. § 2412(d).



UNITED STATES CHIEF MAGISTRATE JUDGE